

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. CR08-203-MJP
)	
v.)	PROPOSED FINDINGS OF FACT
)	AND DETERMINATION AS TO
JAMES EDWARD CHATMAN, JR.,)	ALLEGED VIOLATIONS OF
)	SUPERVISED RELEASE
Defendant.)	

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on July 21, 2010. The defendant appeared pursuant to a warrant issued in this case. The United States was represented by Sunni Ko, and defendant was represented by Lynn Hartfield. Also present was U.S. Probation Officer Richard Cowan. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on July 7, 2000 by the Honorable Alan B. Johnson, U.S. District Judge in the District of Wyoming, for Conspiracy to Possess with Intent to Distribute Cocaine Base. He received 120 months of detention and 5 years of supervised release. On June 6, 2008, the Court accepted a transfer of jurisdiction to the Western District of Washington, as Mr. Chatman was released to the Seattle area and began his supervised release in this district.

PRESENTLY ALLEGED VIOLATIONS

In a petition dated July 1, 2010, Senior U.S. Probation Officer Richard B. Cowan alleged that defendant violated the following conditions of supervised release:

1. Committing the crime of possession of marijuana in Summit County, Colorado on or about May 21, 2009, in violation of the general condition that he not commit a Federal, State, or local crime.

2. Leaving the Western District of Washington on or before May 21, 2009 without the permission of the Court or the probation officer, in violation of standard condition No. 1.

3. Leaving the Western District of Washington on or before June 17, 2010 without the permission of the Court or the probation officer, in violation of standard condition No. 1.

4. Failing to notify the probation officer within 72 hours of his arrests in Summit County, Colorado on May 21, 2009, and June 17, 2010, in violation of standard condition No. 11.

5. Leaving the Western District of Washington on or before March 9, 2010 without the permission of the Court or the probation officer, in violation of standard condition No. 1.

6. Failing to submit a truthful written report to the U.S. Probation Office within the first five days of November and December 2009; and January, February, March, and April 2010.

7. Failing to notify the probation officer within ten days prior to a change of residence, in violation of standard condition No. 6.

FINDINGS FOLLOWING EVIDENTIARY HEARING

Defendant admitted the above violations, waived any hearing as to whether they occurred, and was informed the matter would be set for a disposition hearing August 5, 2010 at 4:30 p.m. before District Judge Marsha J. Pechman.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that defendant has violated the conditions of his supervised release as alleged above, and conduct a disposition hearing.

DATED this 21st day of July, 2010.



BRIAN A. TSUCHIDA
United States Magistrate Judge